

BORIS FELDMAN, State Bar No. 128838
Email: boris.feldman@wsgr.com
IGNACIO E. SALCEDA, State Bar No. 164017
Email: isalceda@wsgr.com
DIANE M. WALTERS, State Bar No. 148136
Email: dwalters@wsgr.com
DOMINIQUE-CHANTALE ALEPIN, State Bar No. 241648
Email: dalepin@wsgr.com
BRYAN J. KETROSER, State Bar No. 239105
Email: bketrosier@wsgr.com
WILSON SONSINI GOODRICH & ROSATI
Professional Corporation
650 Page Mill Road
Palo Alto, CA 94304-1050
Telephone: (650) 493-9300
Facsimile: (650) 565-5100

Attorneys for Defendants

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

In re ACCURAY INC. SECURITIES LITIGATION)	Master File No. 4:09-cv-03362-CW
)	
)	<u>CLASS ACTION</u>
)	
This Document Relates To:)	STIPULATION AND ORDER REGARDING
)	CONTINUANCE OF MARCH 17, 2011
ALL ACTIONS.)	HEARING AND CASE MANAGEMENT
)	CONFERENCE

STIPULATION AND ~~PROPOSED~~ ORDER
REGARDING CONTINUANCE OF HEARING & CMC
MASTER FILE NO. 4:09-cv-03362-CW

1 WHEREAS, on August 31, 2010, this Court dismissed plaintiffs' [Corrected] Consolidated
2 Class Action Complaint for Violations of the Federal Securities Laws in the above-captioned action
3 (the "Action"), with leave to amend;

4 WHEREAS, on October 4, 2010, plaintiffs filed their [Corrected] First Amended Class
5 Action Complaint for Violations of the Federal Securities Laws (the "FAC");

6 WHEREAS, defendants filed a motion to dismiss the FAC on October 14, 2010;

7 WHEREAS, plaintiffs filed their opposition to defendants' motion to dismiss on October 28,
8 2010;

9 WHEREAS, defendants filed their reply on November 4, 2010;

10 WHEREAS, defendants' motion was scheduled to be heard by the Court on November 18,
11 2010;

12 WHEREAS, by notice of this Court, the hearing was rescheduled to January 20, 2011;

13 WHEREAS, on January 4, 2011, the parties submitted a joint stipulation requesting that the
14 hearing be continued to February 17, 2011, and on January 6, 2011, the Court so ordered;

15 WHEREAS, on February 9, 2011, the parties submitted a joint stipulation requesting that the
16 hearing be continued to March 17, 2011, and on February 11, 2011, the Court so ordered;

17 WHEREAS, the parties' settlement discussions remain ongoing, and the parties have
18 continued to work with the Honorable Edward Infante (Ret.) regarding a potential resolution of this
19 matter;

20 WHEREAS, in order to facilitate settlement efforts and conserve expenses and judicial
21 resources, the parties have met and conferred and agreed, subject to Court approval, to a brief
22 continuance of the March 17, 2011 hearing and case management conference;

23 WHEREAS, the parties respectfully request that the March 17, 2011 hearing and case
24 management conference be rescheduled to April 7, 2011, or such a date thereafter that is convenient
25 for the Court;

26 WHEREAS, the requested continuance is not for the purpose of delay, promotes judicial
27 efficacy and will not prejudice any party;

28
STIPULATION AND ~~PROPOSED~~ ORDER
REGARDING CONTINUANCE OF HEARING & CMC
MASTER FILE NO. 4:09-cv-03362-CW

* * *

ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: 3/14/2011



THE HONORABLE CLAUDIA WILKEN
UNITED STATES DISTRICT JUDGE

1 I, Ignacio E. Salceda, am the ECF User whose ID and password are being used to file this
2 Stipulation and [Proposed] Order Regarding Continuance of March 17, 2011 Hearing and Case
3 Management Conference. In compliance with General Order No. 45, X.B., I hereby attest that
4 Daniel J. Pfefferbaum has concurred in this filing.

5 /s/ IGNACIO E. SALCEDA
6 IGNACIO E. SALCEDA
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